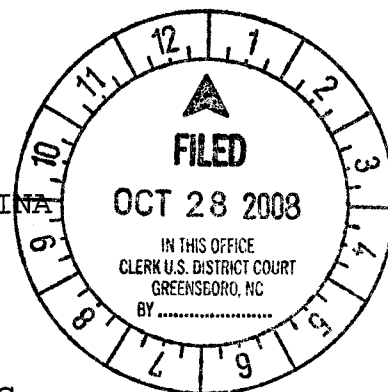


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA :

v. :

GUADALUPE ORTIZ RIOS :

PEDRO PENA ZUNIGA :

also known as "El Torro" :

ESTEBAN PENA ZUNIGA :

also known as "Tevo" and :

"Tejon" :

MAYRA ORTIZ RIOS :

FNU LNU, :

also known as "Chuy" :

GENARO MENDOZA RESENDIZ, :

also known as Freddie :

VICTOR MANUEL RIOS-FLORES, :

also known as Victor Manuel :

Gonzalez :

KENDON DESHAWN TORAIN :

TORIBIO SANDOVAL RIOS, :

also known as Tori :

TERRIS ENOCH :

ALBERTO ROBLES CARLOS :

AMPARO GONZALEZ CORTEZ :

JAVIER GARCIA :

ROBERTO GODINEZ :

LUIS ALBERTO RIVERA DURAN :

ARMANDO VALENCIA TOSCANO, :

also known as "Bandito" :

SUPERSEDING

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The Grand Jury charges:

COUNT ONE

From in or about 2004, continuing up to and including September, 2008, the exact dates to the Grand Jurors unknown, in the Counties of Alamance, Guilford, Orange, and Rockingham, in the Middle District of North Carolina, the Eastern District of North Carolina, the Western District of Virginia, the Southern District of California, and elsewhere, GUADALUPE ORTIZ RIOS, PEDRO PENA ZUNIGA, also known as "El Torro," ESTEBAN PENA ZUNIGA, also known

as "Tevo, and "Tejon," MAYRA ORTIZ RIOS, FNU LNU, also known as "Chuy," GENARO MENDOZA RESENDIZ, also known as Freddie, VICTOR MANUEL RIOS-FLORES, also known as Victor Manuel Gonzalez, KENDON DESHAWN TORAIN, TORIBIO SANDOVAL RIOS, also known as Tori, TERRIS ENOCH, ALBERTO ROBLES CARLOS, AMPARO GONZALEZ CORTEZ, JAVIER GARCIA, ROBERTO GODINEZ, LUIS ALBERTO RIVERA DURAN, ARMANDO VALENCIA TOSCANO, also known as "Bandito," and divers other persons, known and unknown to the Grand Jurors, knowingly and intentionally did unlawfully conspire, combine, confederate and agree together and with each other to commit offenses against the laws of the United States, that is:

To knowingly, intentionally and unlawfully distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine hydrochloride, a Schedule II, controlled substance within the meaning of Title 21, United States Code, Section 812, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A).

COUNT TWO

On or about August 28, 2008, in the County of Orange, in the Middle District of North Carolina, KENDON DESHAWN TORAIN willfully, knowingly and intentionally did unlawfully possess with intent to distribute approximately 1 kilogram of a mixture and substance containing a detectable amount of cocaine hydrochloride, a Schedule II, controlled substance within the meaning of Title 21, United

States Code, Section 812; in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT THREE

On or about September 5, 2008, in the County of Alamance, in the Middle District of North Carolina, ALBERTO ROBLES CARLOS and AMPARO GONZALEZ CORTEZ willfully, knowingly and intentionally did unlawfully distribute approximately 500 grams of a mixture and substance containing a detectable amount of cocaine hydrochloride, a Schedule II, controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT FOUR

On or about September 18, 2008, in the County of Alamance, in the Middle District of North Carolina, ALBERTO ROBLES CARLOS willfully, knowingly and intentionally did unlawfully distribute approximately 500 grams of a mixture and substance containing a detectable amount of cocaine hydrochloride, a Schedule II, controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT FIVE

During in or about June, 2008, continuing up to and including September 29, 2008, the exact dates to the Grand Jurors unknown, in the County of Alamance, in the Middle District of North Carolina, MAYRA ORTIZ RIOS knowingly and intentionally did unlawfully use communication facilities, that is, cellular telephones assigned

numbers (336)451-9055 and (336)512-0003, to commit, cause and facilitate the conspiracy to distribute a Schedule II, controlled substance within the meaning of Title 21, United States Code, Section 812, a felony under Title 21, United States Code, Sections 846 and 841(b)(1)(A); in violation of Title 21, United States Code, Section 843(b).

COUNT SIX

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, PEDRO PENA ZUNIGA, also known as "El Torro," in furtherance of a drug trafficking crime for which he could be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine hydrochloride, in violation of Title 21, United States Code, Section 846, did knowingly possess a firearm, that is, a Beretta 9mm handgun, model 92FS, serial number L73947Z; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT SEVEN

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, PEDRO PENA ZUNIGA, also known as "El Toro," then being an alien illegally and unlawfully in the United States, did knowingly possess in commerce and affecting commerce a firearm, that is, a Beretta 9mm handgun, model 92FS, serial number L73947Z; in violation of Title 18, United States Code, Sections 922(g)(5) and 924(a)(2).

COUNT EIGHT

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, ESTEBAN PENA ZUNIGA, also known as "Tevo" and "Tejon," in furtherance of a drug trafficking crime for which he could be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine hydrochloride, in violation of Title 21, United States Code, Section 846, did knowingly possess firearms, that is, a Springfield Armory .38 Super caliber semiautomatic pistol, model 1911A1, serial number N438717; a Norinco 7.62X39mm rifle, model SKS, serial number 24002858K; a Colt .38 Super caliber semiautomatic pistol, model 1911, El Soldado, serial number ELSAL325; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT NINE

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, ESTEBAN PENA ZUNIGA, also known as "Tevo" and "Tejon," then being an alien illegally and unlawfully in the United States, did knowingly possess in commerce and affecting commerce firearms, that is, a Springfield Armory .38 Super caliber semiautomatic pistol, model 1911A1, serial number N438717; a Norinco 7.62X39mm rifle, model SKS, serial number 24002858K; a Colt .38 Super caliber semiautomatic pistol, model 1911, El Soldado, serial number ELSAL325; in violation of Title 18, United States Code, Sections 922(g)(5) and 924(a)(2).

COUNT TEN

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, GUADALUPE ORTIZ RIOS, in furtherance of a drug trafficking crime for which he could be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine hydrochloride, in violation of Title 21, United States Code, Section 846, did knowingly possess firearms, that is, a Beretta 9mm semiautomatic pistol, model 92F, serial number D62366Z; and an F.I.E. .25 caliber semiautomatic pistol, model Titan, serial number D857002; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT ELEVEN

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, GUADALUPE ORTIZ RIOS, then being an alien illegally and unlawfully in the United States, did knowingly possess in commerce and affecting commerce firearms, that is, a Beretta 9mm semiautomatic pistol, model 92F, serial number D62366Z; and an F.I.E. .25 caliber semiautomatic pistol, model Titan, serial number D857002; in violation of Title 18, United States Code, Sections 922(g)(5) and 924(a)(2).

COUNT TWELVE

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, LUIS ALBERTO RIVERA DURAN, in furtherance of a drug trafficking crime for which he could be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine hydrochloride, in violation of Title 21, United

States Code, Section 841(a)(1), did knowingly possess firearms, that is, a Colt .45 caliber pistol, model M1991A1, serial number CJ24327; a Browning Arms .380 caliber pistol, model BDA380, serial number 425RP03755; a Marlin .22 caliber rifle, Glenfield model 60, serial number 20414068; and a Sears & Roebuck, manufactured by Winchester, .22 caliber rifle, model 5, no serial number; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

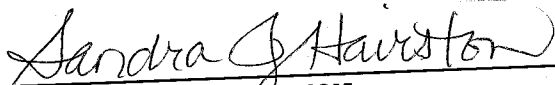
COUNT THIRTEEN

On or about October 10, 2008, in the County of Alamance, in the Middle District of North Carolina, LUIS ALBERTO RIVERA DURAN, then being an alien illegally and unlawfully in the United States, did knowingly possess in commerce and affecting commerce a firearm, that is, a Colt .45 caliber pistol, model M1991A1, serial number CJ24327; a Browning Arms .380 caliber pistol, model BDA380, serial number 425RP03755; a Marlin .22 caliber rifle, Glenfield model 60, serial number 20414068; and a Sears & Roebuck, manufactured by Winchester, .22 caliber rifle, model 5, no serial number; in

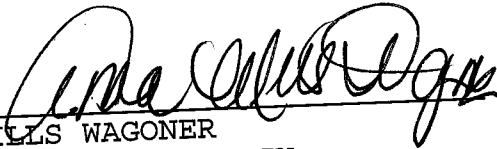
violation of Title 18, United States Code, Sections 922(g)(5)
and 924(a)(2).

A TRUE BILL:

FOREPERSON



SANDRA J. HAIRSTON
ASSISTANT UNITED STATES ATTORNEY



ANNA MILLS WAGONER
UNITED STATES ATTORNEY